

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONNA WOOD, et al., individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

MIKE BLOOMBERG 2020, INC.,

Defendant.

20 Civ. 2489 (LTS) (GWG)

**DECLARATION OF
ELISE M. BLOOM, ESQ.**

I, Elise M. Bloom, Esq., declare, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a member of the law firm Proskauer Rose LLP, attorneys for Defendant Mike Bloomberg 2020, Inc. in the above-captioned action. I am fully familiar with the facts set forth herein. I submit this declaration in support of Defendant's motion to certify for immediate appeal, pursuant to 28 U.S.C. § 1292(b), the Court's March 25, 2022 Opinion and Order (Dkt. 258) to the extent that it denied Defendant's motion to dismiss Plaintiffs' claims asserted in the Second Amended Class and Collective Action Complaint (Dkt. 86) ("Second Amended Complaint" or "SAC") under the Fair Labor Standards Act of 1938, 29 U.S.C. § 201, *et seq.* (the "FLSA").

2. On January 11, 2022, Defendant produced a class list containing the contact information for approximately 1,390 potential opt-in plaintiffs.

3. On January 19, 2022, Plaintiffs' counsel sent an email advising that notice had been distributed the previous day, and that the opt-in deadline was March 19, 2022.

4. Prior to the expiration of the opt-in period on March 19, 2022, approximately 700 opt-in plaintiffs joined the putative FLSA collective by filing consent to join forms.

5. Altogether, there are approximately 1,030 potential class and collective members who may assert claims against the Campaign in this case.

6. This number consists of the approximately 700 opt-in plaintiffs and an additional 330 individuals who did not file an opt-in form but worked in one of the following seven states in which Plaintiffs are asserting wage-and-hour claims under state law: California, Illinois, Michigan, Minnesota, New York, North Carolina, and Wisconsin. *See* SAC ¶¶ 244-414.

7. Of those, approximately 420 individuals are only asserting FLSA claims because they did not work in one of the seven states in which Plaintiffs are asserting wage-and-hour claims under state law.

8. I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
April 21, 2022

/s/ Elise M. Bloom

Elise M. Bloom